


WEDNESDAY, OCTOBER 19, 2005

Man dies as a result of sex with horse

Yep. You read that correctly. Not only that, the state is investigating a farm that is apparently well known among those who enjoy bestiality. Now Washington state is looking into criminalizing bestiality as it is one of only twelve states that do not already do so. Read more [here](#).

It strikes me that the travesty of a decision that was *Lawrence v. Texas* should render laws prohibiting bestiality unconstitutional, precisely as Justice Scalia said. (No, this is not a slippery slope argument) Where's the ACLU when you need them? What about this persecuted minority? Do they not see the injustice of discriminating against people because of who/what they want to have sex with?

POSTED BY BRIAN HAGEDORN AT 10/19/2005 05:15:00 PM 

15 COMMENTS:

scott said...

The real shame is that you and a lot of other people (and apparently the law in Texas before *Lawrence*) fail to recognize any difference between two consenting adults and some sicko abusing farm animals. Is it really so hard to make the latter illegal while allowing the former? Where's the big problem here?

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Brian Hagedorn said...

As I have argued before, I do not think the Texas law was prudent. My point here is not a moral one, but a legal argument. There is no way to distinguish between these two, at least not in our Constitution. Certainly legislatures can distinguish between these (as I would for reasons of enforceability and effectiveness), but the idea that homosexual behavior is different than bestiality as a Constitutional matter is unjustifiable. There is no right in our Constitution to have sex with whoever or whatever you want in the privacy of your home (or [barn](#)). That may or may not be good policy, but that is a different question.

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